

ARTICLE 43 MOTION

1. Delete the current Section 3.1.6 and replace with the following:

- 3.1.6 Banks and Credit Unions and Real Estate Sales or Rentals in CB District Storefronts.

1. Purpose. Lexington Center is a place in which shops, work places, schools, historic attractions, housing, open space, and civic facilities intimately co-exist to create an active retail and cultural destination with an identifiable sense of place. It is in the public interest that the Town protect and enhance the vibrancy of the Central Business District by creating a supportive environment for a diverse group of uses throughout the Center, and regulating the use of the limited first floor storefront area and frontage of the Central Business District is necessary to achieve this goal.
 2. Special Permit Review Criteria. In addition to the criteria detailed in § 135-9.4.2, as a precondition to allowing the establishment, relocation, or expansion of a banking or credit union or real estate service use (Lines H.1.05 and Line H.1.04 respectively in the Table of Uses) in the Central Business District, the SPGA must also find that the applicant has satisfied the specific criteria listed below:
 - a) The granting of the special permit will advance the goals expressed in § 3.1.6.1 above;
 - b) The proposed use in the proposed location is in the public interest;
 - c) The proposed use will not create an undue concentration of these uses in the immediate area;
 - d) The proposed use will maintain hours and days of operation and an active storefront consistent with other retail uses in the Central Business District;
 - e) The proposed length of the storefront will not exceed the average length of other storefronts in the Central Business District;
 - f) The proposed first floor square footage will not exceed the average size of other storefronts in the Central Business District; and
 - g) As part of providing a visually engaging storefront, the area adjacent to the storefront must be a space dedicated for patrons and shall not be used for office, cubicle, conference, or storage areas.
 3. The SPGA may waive strict compliance with criteria 2(e) and 2(f) above, where such action is in the public interest and consistent with the intent and purpose of this bylaw.

2. Modify Lines H.104 and H.1.05 of the Table of Uses:

H.	PERSONAL, BUSINESS, OR GENERAL SERVICE USES	CB
H.1.04	Real estate sales or rental (see § 3.1.6)	Y SP
H.1.05	Bank or Credit Union (see § 3.1.6)	Y *SP
* Not permitted in a center storefront through July 31, 2016 (see section 3.1.6)		